

FISCAL NOTE
HB 794 - SB 1119

March 26, 2001

SUMMARY OF BILL: Provides the following regarding petitions filed in juvenile court:

- Expands contents of the petition including for allegations of a delinquent act, an affidavit providing the essential elements of the offense, under oath before an officer of the court capable of giving a probable cause determination.
- A delinquent petition will not be issued absent a probable cause determination.
- A petition must also include reference to applicable state or local laws that were allegedly violated.
- If the alleged offense would be a felony if committed by an adult or is possession of a firearm, a copy of the petition must be sent to the district attorney general and the juvenile's counsel.
- Provides for summons and notice to parties.

ESTIMATED FISCAL IMPACT:

Increase Local Govt. Expenditures* - Exceeds \$1,000,000

Increase State Expenditures - Exceeds \$100,000

Estimate assumes:

- one-third of the counties in the state would require additional qualified staff or referees to implement the provisions of the bill regarding the content of the petition and probable cause determinations.
- an increase in involvement by the district attorneys general in juvenile court and an increase in appointment of counsel for indigent juveniles alleged to have committed a delinquent act.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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